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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/825,854	04/15/2004	Dennis N. Anderson	3467	8194
27727	7590	09/29/2005	EXAMINER	
PEDERSEN & COMPANY, PLLC			LA, ANH V	
P.O. BOX 2666			ART UNIT	
BOISE, ID 83701			PAPER NUMBER	
			2636	

DATE MAILED: 09/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/825,854

Applicant(s)

DENNIS N. ANDERSON ET AL

Examiner

Anh V. La

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>7/19/04</u> .   | 6) <input type="checkbox"/> Other: ____.                                    |

### DETAILED ACTION

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sage and Viana.

Regarding claim 1, Sage discloses a vehicle combined back-up and battery low-level alarm comprising a back-up alarm circuit (326, 327, figures 4-5, column 4, lines 55-67, col. 8, lines 1-55, col. 7, lines 25-40), a voltage sensing and comparing circuit (column 4, line 67-col. 5, line 3), a gating circuit 200, wherein the gating circuit performs tone generation output in response to inputs from the back-up alarm circuit, and voltage sensing and comparing circuit (column 6, lines 1-40). Sage does not clearly disclose a timing circuit. Viana teaches the use of a timing circuit 182. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include a timing circuit to the alarm of Sage as taught by Viana for the purpose of effectively assisting a driver to avoid collisions with objects.

Regarding claims 2-3, Sage as modified by Viana discloses all the claimed subject matter as set forth above in the rejection of claim 1, but still does not disclose a microcontroller (claim 2) and an analog to digital converter (claim 3). Viana teaches the use of a microcontroller 128 and an analog to digital converter 132. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to

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include a microcontroller and an analog to digital converter to the alarm of Sage as taught by Viana for the purpose of effectively assisting a driver to avoid collisions with objects.

Regarding claim 9, Sage clearly discloses the back-up alarm circuit having alarm mode precedence over the voltage sensing and comparing circuit.

3. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sage and Viana as applied to claim 1 above, and further in view of Aaron.

Regarding claim 4, Sage as modified by Viana discloses all the claimed subject matter as set forth above in the rejection of claim 1, but still does not disclose a signaling lamp. Aaron teaches the use of a signaling lamp 60. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include a signaling lamp to the alarm of Sage (modified by Viana) as taught by Aaron for the purpose of effectively indicating a visual alarm signal.

Regarding claim 5, Sage discloses an ambient light sensor 326, 327.

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sage and Viana as applied to claim 1 above, and further in view of Caine.

Regarding claim 6, Sage as modified by Viana discloses all the claimed subject matter as set forth above in the rejection of claim 1, but still does not disclose a single housing. Caine teaches the use of a single housing (col. 1, lines 5-10). It would have been obvious at the time the invention was made to a person having ordinary skill in the

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art to include a single housing to the alarm of Sage (modified by Viana) as taught by Caine for the purpose of effectively assisting a driver to avoid collisions with objects.

5. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sage and Viana as applied to claim 1 above, and further in view of Gibbons.

Regarding claims 7-8, Sage as modified by Viana discloses all the claimed subject matter as set forth above in the rejection of claim 1, but still does not disclose two different voltage thresholds (claim 7) and different alarm mode timing for each respective voltage threshold (claim 8). Gibbons teaches the use of two different voltage thresholds (figure 1) and different alarm mode timing for each respective voltage threshold (fig. 1). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include two different voltage thresholds and different alarm mode timing for each respective voltage threshold to the alarm of Sage (modified by Viana) as taught by Gibbons for the purpose of effectively indicating alarm signals.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh V. La whose telephone number is (571) 272-2970. The examiner can normally be reached on Mon-Fri from 9:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**ANH V. LA**  
**PRIMARY EXAMINER**

Anh V La  
Primary Examiner  
Art Unit 2636

AI  
September 18, 2005